IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of: Dutta et al.

Serial No.: 09/817,111

Filing Date: 03/26/2001

For: Method and system for operating a rating server based on usage and download patterns within a peer-to-peer network

§ Group Art Unit: 2175

Examiner: Rimell, S.

Attorney Docket No.: AUS920010052US

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(703) -872-9306 on July 30, 2004

Joseph R./Burwell, Reg. No 44,466

TRANSMITTAL DOCUMENT

Transmitted herewith are the following (3 total pages, including this page):

X. Notice of Appeal From Examiner to Board of Patent Appeals and Interferences--2 copies.

DATE: July 30, 2004

Respectfully submitted,

Joseph R. Burwell Reg. No. 44,468

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NOTICE OF APPEAL

FROM EXAMINER TO BOARD OF APPEALS AND INTERFERENCES

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated 05/03/2004 rejecting claims 1-54.

The Commissioner is hereby authorized to charge payment of the required \$330.00 fee as set forth in 37 C.F.R. 1.17(b), or any credit/overpayment therefor, to Deposit Account No. 50-1888 of Joseph Burwell. A duplicate copy of this paper is enclosed for fee-processing purposes.

DATE: July 30, 2004

Respectfully submitted,

Joseph R. Burwell Reg. No. 44,468

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